[20th January 1964

MR. CHAIRMAN : Questions 13 to 16 are postponed as the Hon. the Minister for Works and the Hon. the Minister for Public Health are not here.

Questions are over.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—QUESTION OF PRIVILEGE *re* PUBLICATION OF A DESPATCH OF A 'SPECIAL INVESTIGATOR' IN "BROADWAY TIMES" IN ITS ISSUE, DATED 13th DECEMBER 1963 WITH THE CAPTION 'D.M.K. CELLS IN MADRAS SECRETARIAT'.

MR. CHAIRMAN : I have to bring to the notice of this Hon'ble House a serious matter of privilege which affects the Members, the House and the Chairman.

The matter relates to a despatch of a 'Special Investigator' published in Broadway Times, an English News Weekly, in its issue, dated 13th December 1963 with the caption 'D.M.K. Cells in Madras Secretariat'. The relevant passage in the said despatch which affects the Members, the House and the Chairman, reads **as follows :—**

"The Legislature Secretariat is packed with D.M.K. men. Some of the information, like answers received for starred questions, is being leaked out to D.M.K. legislators, long before the session begins."

Needless to say, the allegations are of a serious nature as they cast reflections and aspersions on certain members of this House and the conduct, integrity and impartiality of the staff of the Secretariat of this House in the discharge of their duties and in their relationship with the Members of this House. It contains an imputation that the D.M.K. Members obtain answers improperly and in advance before they are furnished to the House. If it be true that any member of the staff of the Secretariat of this House, which functions under the authority of the Chairman, has given any such information, he must be held to be guilty of a serious breach of privilege. In view of the seriousness of the charges levelled against the Secretariat as well as some of the members, the Editor of the News Weekly was requested by letter, dated 17th December 1963 to substantiate the charges and he was assured that any information or proof furnished by him would be treated as confidential. But the Editor in his reply, dated 19th December 1963 has stated that as a responsible editor having regard to journalistic ethics, he was not in a position to disclose the 'sources' and that he could not give the names. The Editor was requested to give not the 'source' but only the proof, if any, in support of the allegations levelled against the Secretariat and some of the D.M.K. Members of the House. But he has declined to substantiate the allegations. It follows that the allegations are baseless.

The aforesaid imputations cast aspersions on some Members that they seek and obtain improperly advance information before they are furnished to the House and thus bring them into odium

and also attribute improper conduct on the part of the staff of the Secretariat of this House and therefore, tend to impair their integrity and impede them in the performance of their delicate duties as they have to render assistance to all Members, irrespective of their party affiliations in accordance with the parliamentary procedure and practice.

Such written imputations which concern the character and conduct of some Members and the Secretariat of this House are a serious breach of privilege without perhaps being libel at common law. I, therefore, rule that there is a *prima facie* case of breach of privilege. But inasmuch as the matter has been raised and referred to the Committee of Privileges of the other House, further action in this regard may be deferred for the present.

III—PRESENTATION OF THE TWELFTH REPORT OF THE COMMITTEE ON GOVERNMENT ASSURANCES.

DR. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, I have much pleasure in presenting the twelfth report of the Committee on Government Assurances. In doing so, I should like to state how much we have appreciated the efforts of the Leader of the House in trying to see that satisfactory replies are given for many of the items that were kept pending from as long ago as 1956–57. Hon. Members will see from the Appendices that most of these items have been answered. In a few cases a complete answer was given and the Committee asked for no other information. Still there are a few cases and the Committee notes with regret that some of these date as far back as 1959 and 1960, that action had been taken between 1960 and 1962, and that the concerned departments communicated the information to the Committee only in 1963, making it possible that all these things could have been done earlier and delay could have been avoided. The Committee, therefore, hopes that in future when any of these assurances are departmentally settled, the communication will be sent to the Council Secretariat. In regard to a few items which are still kept pending, I hope that before the next meeting of the Committee the necessary answers will be given. I present the Report, Sir.

IV—DISCUSSION ON THE GOVERNOR'S ADDRESS—*cont.*

MR. CHAIRMAN : We will now continue the discussion on the Governor's Address.

* SRI M. RAJAH IYER : Mr. Chairman, Sir, it was a proud privilege for us to be present the other day to listen to the esteemed address of the Governor of Madras. It was a matter of particular joy for teacher representatives like me to be on the legislature and to be given the privilege of listening to the Governor's Address and taking part in the discussion on the Governor's Address. It is a 10–40 a.m.